IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUEDAY, THE THIRD DAY OF MAY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 10560 of 2005

Between:

G. Satya Sai S/o Sri K. Govindhan , Aged 40 years,
R/o H. No. 22-26, Radhakrishna nagar, Malkajiri Hyderabad

..... PETITIONER

AND

1 The Andhra PRadesh State Road Transport Corporation rep by Regional

Manager, Musheerabad, Hyderabad
2 The Divisional manager, APSRTC., Ranga Reddy Division, Hyderabad

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in terminating the licence of the petitioner in respect of stall No. 70, at MGBS vide proc. in No. P3/122 (84)/2002-RR dt 19-02-2005 as illegal, arbitrary and without jurisdiction and in gross violation of the principles of natural justice and in violation of Articles 14, 19(1)(g) and 300-A of the Constitution of India and consequently set a side the impugned proceedings and direct the Respondents to permit the petitioner to conduct his business in the allotted stall for the remaining period of Licence, i.e. until 27-05-2005.

Counsel for the Petitioner: MR. P.THIRUMALA RAO

Counsel for the Respondents: MR.V.T.M.PRASAD (S.C.FOR APSRTC)

The Court made the following :

O R D E R :

The petitioner was a licensee of the A.P.S.R.T.C., who was permitted to run a Cloack Room in the Mahatma Gandhi Bus Station, Hyderabad on a stipulated monthly licence fee for a period of three years. The licence period commences from 28.05.2002 and is up to 27.05.2005. The petitioner was issued a show cause notice on 30.11.2004 proposing termination of his licence on the ground that he has violated the terms and conditions of the licence and was collecting excess amount from the passengers, not exhibiting the price board and other specific irregularities. The petitioner submitted his explanation and thereupon by the impugned order dated 19.02.2005, the licence of the petitioner was terminated, assailing which, this Writ Petition is filed.

The relationship between the petitioner and the respondents is under licence, which is a non-statutory contract. The relationship is not governed by any public law principles. There is no warrant for adjudication of such disputes under Article 226 of the Constitution of India vide **Radhakrishna Agarwal Vs. State of Bihar and others.** There are no merits in the Writ Petition.

Accordingly, the Writ Petition is dismissed. The petitioner is at liberty to pursue appropriate alternate remedies in a Civil Court having competent jurisdiction. No costs.

GODA RAGHURAM, J

Date:03-05-20005

Ccm/ksn

To:

1 The Regional Manager,The Andhra PRadesh State Road Transport

Corporation Musheerabad, Hyderabad
2 The Divisional manager, APSRTC., Ranga Reddy Division, Hyderabad

3 Two CD copies.